

P21645.A04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gert HEINRICH et al.

Group art unit: 1714

Serial No : 09/994,774

Examiner: Katarzynai WYROZEBSKI

Filed : November 28, 2001

For : RUBBER COMPOUND FOR TIRE TREAD RUBBER

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**REQUEST FOR CORRECTION OF ERROR IN OFFICE ACTION AND
RESTARTING OF REPLY PERIOD**

Commissioner For Patents
PO Box 1450,
Alexandria, Virginia 23313-1450

Sir:

Pursuant to the Office Action in the above-referenced application mailed October 6, 2003, Applicants note that the number of the patent cited in section 4. of the Office Action, i.e., U.S. Patent No. 6,598,549 is apparently incorrect, because it relates to a "Boat Lift" (see title) and the inventor is VOEGELI, not LARSON as indicated in the Office Action. A copy of the cover page of U.S. Patent No. 6,598,549 is attached hereto.

Applicants furthermore note that Form PTO-892 attached to the Office Action cites U.S. Patent No. 6,598,645 to LARSON. However, assuming that the patent which the Examiner intended to cite in section 4. of the Office Action is U.S. Patent No. 6,598,645, not U.S. Patent No. 6,598,549, there are still discrepancies between the disclosure of U.S. Patent No. 6,598,645 and the Examiner's corresponding comments. For example, in the last

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paragraph of page 3 of the Office Action, the Examiner appears to refer to numbered paragraphs of the cited document, whereas U.S. Patent No. 6,598,645 does not appear to have numbered paragraphs. Also, Applicants could not find the alleged disclosure regarding the composition of CLOISITE 25A in U.S. Patent No. 6,598,645.

In view of the foregoing, Applicants respectfully request that the Examiner clarifies which document was meant to be cited in section 4. of the pending Office Action.


Additionally, the Office Action Summary indicates that claims 1-29 are pending in the application. However, the present application contains claims 1-30.

Moreover, section 11. of the Office Action indicates that claim 29 is objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form. In this regard, it is indicated that “[t]he prior art of record does not teach the limitation of race tire”. It is noted that claim 29 is an independent claim and claim 30 dependent therefrom recites a racing tire. Accordingly, it is assumed that the Examiner’s comments refer to claim 30, not to claim 29. A confirmation to this effect is respectfully requested.

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In accordance with MPEP § 706.10, Applicants respectfully request that the period for reply be restarted from the date the above-identified errors are corrected.

Respectfully submitted,
Gert HEINRICH et al.


Neil F. Greenblum
Reg. No. 28,394

Reg no 31,096

November 4, 2003
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191